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United States Senate

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WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Kimberli Poppe-Smart
Deputy Commissioner for Medicaid and Health Care Policy
P.O. Box 110601
Juneau, AK 99811-0601

Dear Ms. Poppe-Smart

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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- Abilify;
- Geodon;
- Seroquel;
- Zyprexa;
- Risperdal;

- OxyContin;
- Roxicodone;
- Xanax.

In addition to providing charts for each drug, please provide answers to the following questions:

1. What action, if any, does your agency intend to take with respect to the prescribers identified?
2. Do you plan on cross-checking these prescribers for complaints or misconduct with the state medical board or the National Practitioner Data Bank? If not, why not?
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8. Were any of these top ten prescribers identified in the federal-mandated Drug Utilization Review or CMS-base retrospective reviews?
9. Does your state have any programs in place to educate providers about the prescription of antipsychotics to children and adolescents?

Thank you in advance for your cooperation and attention in this matter. When responding to this letter, please number your answers in accordance with my questions. I would appreciate a response by February 14, 2012. If you have any questions, please do not hesitate to contact Erika Smith of my staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley".

Charles E. Grassley
Ranking Member
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BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Dr. Gregory N. Larkin, M.D., FAAFP
Indiana State Department of Health
P.O. Box 7125
Indianapolis, IN 46206

Dear Commissioner Larkin,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Bruce Greentstein
Louisiana Department of Health and Hospitals
P.O. Box 629
Baton Rouge, LA 70821

Dear Secretary Greenstein,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Anna Whiting Sorrell
Montana Department of Public Health and Human Services
P.O. Box 4210
Helena, MT 59620

Dear Director Whiting Sorrell,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Kerry Winterer
Department of Health and Human Services
301 Centennial Mall South
Lincoln, NE 68509

Dear Mr. Winterer,

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BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Nicholas A. Toumpas
Department of Health and Human Services
129 Pleasant Street
Concord, NH 03301

Dear Commissioner Toumpas,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Mary E. O'Dowd
Department of Health and Senior Services
Health and Agriculture Building
P.O. Box 360
Trenton, NJ 08625

Dear Commissioner O'Dowd,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Doneen B. Hollingsworth
South Dakota Department of Health
600 East Capitol Avenue
Pierre, SD 57501

Dear Secretary Hollingsworth

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Thank you in advance for your cooperation and attention in this matter. When responding to this letter, please number your answers in accordance with my questions. I would appreciate a response by February 14, 2012. If you have any questions, please do not hesitate to contact Erika Smith of my staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Graddy".

Charles E. Grassley
Ranking Member
Committee on the Judiciary

PATRICK J. LEAHY, VERMONT, CHAIRMAN

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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Dr. Michael J. Lewis
Department of Health and Human Resources
State Capitol Complex, Building Three, Room 206
Charleston, WV 25305

Dear Secretary Lewis,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

Many states provided the data I requested, and the statistics were alarming. There were instances where single prescribers wrote tens of thousands of prescriptions per year. However, because your state did not provide this information, it is impossible to determine if these types of outliers exist within the Medicaid system in your state.

Each of the states should adequately monitor, investigate, and stop fraud and over-prescription of these types of drugs. Therefore, please provide charts that list the top ten Medicaid prescribers of the following drugs for the years 2010 and 2011. For each prescriber, please provide his/her prescriber identifier, the number of prescriptions written per drug per year, and the total amount billed to Medicaid per drug, separated for each year.

- Abilify;
- Geodon;
- Seroquel;
- Zyprexa;
- Risperdal;

- OxyContin;
- Roxicodone;
- Xanax.

In addition to providing charts for each drug, please provide answers to the following questions:

1. What action, if any, does your agency intend to take with respect to the prescribers identified?
2. Do you plan on cross-checking these prescribers for complaints or misconduct with the state medical board or the National Practitioner Data Bank? If not, why not?
3. Have any of the prescribers identified been referred to your state medical board?
4. Is there any system set up in your state to identify and monitor excessive prescription writing? If not, why not?
5. Have you received any training or guidance from the Centers for Medicare and Medicaid Studies to help identify potential issues with prescription drugs?
6. Does your state maintain a database of all prescribed controlled-substances? If so, what entities have access to it?
7. Does your state have any point-of-sale restrictions related to maximum units, prior authorization, therapeutic duplication, or early refill? If not, why not?
8. Were any of these top ten prescribers identified in the federal-mandated Drug Utilization Review or CMS-base retrospective reviews?
9. Does your state have any programs in place to educate providers about the prescription of antipsychotics to children and adolescents?

Thank you in advance for your cooperation and attention in this matter. When responding to this letter, please number your answers in accordance with my questions. I would appreciate a response by February 14, 2012. If you have any questions, please do not hesitate to contact Erika Smith of my staff at (202) 224-5225.

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Charles E. Grassley
Ranking Member
Committee on the Judiciary

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WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Dennis G. Smith
Department of Health Services
P.O. Box 7850
Madison, WI 53707

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Charles E. Grassley
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